

Green Facts

Pesticide Operator Licences

The Ministry of the Environment (MOE) pesticide licensing program is regulated by the *Pesticides Act* and Regulation 63/09. In accordance with legislation, the Environmental Assessment and Approvals Branch manages licensing for the sale, storage, use, transportation and disposal of federally registered and provincially classified pesticides. This fact sheet provides information for prospective owners of a pesticide extermination business.

Do I require an Operator Licence?

Any person that operates a pesticide extermination business in Ontario must hold an Operator Licence from the MOE. If you apply pesticides commercially, you must have an Operator Licence or be working for someone that has an Operator Licence.

How do I qualify/apply for an Operator Licence?

To qualify for an Operator Licence, you must:

- Hold a valid Ontario Exterminator Licence of any type or class. In the case of a corporation, the designated official representative must hold a valid Ontario Exterminator Licence of any type or class;
- Be 18 years of age or older; and
- Have insurance coverage for the pesticide extermination business as outlined in s.93 of Regulation 63/09.

To apply for an Operator Licence, you must complete and submit an “Application for a Pesticide Operator Licence” to:

Director, *Pesticides Act*
Ministry of the Environment
Environmental Assessment and Approvals Branch
2 St. Clair Ave. W, Floor 12A
Toronto, ON M4V1L5

This form is available in the on the Ministry of the Environment internet site at <http://www.ene.gov.on.ca/en/publications/forms/index.php#PLC> or from the Environmental Assessment and Approvals Branch at 1-800-461-6290 (or 416-314-8001).

How long will my licence be valid?

All Operator Licences expire on February 15th of each calendar year.

What information do I need to include with my application?

When you complete the “Application for a Pesticide Operator Licence,” you will be asked to provide the following:

- Mailing address
 - The address where you or your company receive mail.
- Physical address
 - You must provide this if your primary company work location is different than the address where you or your company receive mail. **You can not use a P.O. Box as a physical address.**
- Proof of legal name
 - A copy of a legal document that provides evidence of the legal name of the company or individual. In the case of a company, this could include a copy of the Master Business Licence or Articles of Incorporation. In the case of an individual, this could include a copy of his/her driver’s licence or age of majority card.
- Proof of insurance
 - A copy of a certificate of insurance or a letter from the insurance company stating that the pesticide extermination business is insured for operation in Ontario.
- Number of vehicles currently in use / number of stickers required
 - This information helps to ensure that you receive the correct number of vehicle identification markers with your Operator Licence.
- Payment
 - Operator Licences are subject to a \$200 fee. This fee is payable to the Ontario Minister of Finance by Visa, MasterCard, American Express, certified cheque or money order.

How do I renew my licence?

You will receive a notice in the mail 45 days prior to your licence expiry date. This notice will provide you with detailed instructions on how to renew your licence. If you do not receive a renewal notice or have questions about the renewal process, please contact the Environmental Assessment and Approvals Branch at 1-800-461-6290 (locally at 416-314-8001) or by e-mail at EAABGen@ene.gov.on.ca.

How do I update my address if I move?

If you move or your address changes, you must notify the Ministry of the Environment within 10 days using a form supplied by the ministry. The “Pesticide Licence Replacement / Change of Address Form” is available on the Ministry of the Environment internet site at <http://www.ene.gov.on.ca/envision/gp/index.htm#PLC> or from the Environmental Assessment and Approvals Branch at 1-800-461-6290 (or 416-314-8001).

Can I transfer my licence to a new owner if I sell my business?

No. An Operator Licence is not transferable (*Pesticides Act*, s.33) and the new owner will have to apply for a new licence.

What are the responsibilities of a licensed operator?

Licensed operators are responsible for ensuring that:

- all vehicles used to transport pesticides display an MOE issued operator sticker for the current year;
- they carry valid and up-to-date insurance as outlined in Regulation 63/09;
- all of their employees possess the appropriate training, licence and/or supervision;
- all pesticide applications are performed in compliance with the *Pesticides Act* and Regulation 63/09;
- the public notification requirements of Regulation 63/09 are adhered to; and
- written notice is given to the Fire Department responsible for the area in which pesticides are stored (where appropriate).

How do I correctly identify a vehicle used to transport pesticides?

A licensed operator must ensure that a current identification marker is affixed to the rear of all vehicles that store or transport pesticides. This includes pesticides stored or transported in the cab (passenger compartment) of a vehicle, in the trunk of a vehicle, in a tank mounted in/on a vehicle or in/on a trailer towed by the vehicle. The identification marker must indicate the current calendar year and contain the words “Licensed Operator, Pesticides Act.” These identification markers are distributed by the MOE to operators upon the issuance or renewal of their licence.

What are the public notification requirements of Regulation 63/09?

Sections 74-81 of Regulation 63/09 detail the requirements for signs posted to notify the public of pesticide use. It is important that these signs be uniform, clear and consistent so they are easily recognized and understood by the public. These requirements include format, wording, minimum letter and number sizes, allowable contents of the pictogram and use of logos. The licensed exterminator in charge of the land extermination is responsible for ensuring that the proper sign is used and that it is posted in accordance with the regulatory requirements. Operators of pest control businesses are responsible for the acts and omissions of their employees.

When do I need to provide written notice to the Fire Department?

Every operator that stores Classes 1-8 pesticides must give written notice annually to the Fire Department responsible for the area in which the pesticide is stored. A “Fire Department Notification Card” will be included with your Operator Licence.

Do I need a separate Operator Licence if my business operates out of more than one location?

No. If a **centrally** owned business operates out of more than one location, only one Operator Licence is required. A copy of this licence must be available at each location and you must include the following information for each location when you apply for your Operator Licence.

- Physical address of each location.
- Name and Exterminator Licence number of the person in charge at each location.

What are the insurance requirements for licensed operators?

A licensed operator must have specific insurance coverage that covers the operation of their pest control business. Ontario Regulation 63/09 details the specific insurance requirements for licensed operators. Under s.93 of this regulation, a contract of insurance (insurance policy) for a pest control business should include:

1. Liability coverage of at least \$25,000 for each employee of the pest control business, provided that the insurance policy may limit the insurer's liability for any one incident to \$50,000. If the pest control business is covered under the *Workplace Safety and Insurance Act* and is paying all premiums and other amounts due under that Act, the insurance policy does not need to contain this liability coverage.
2. Comprehensive coverage in the amount of at least \$1,000,000 with respect to death, injury or property damage arising out of any one incident.
3. Pollution coverage for emissions or discharges of chemicals into the environment as part of the business operated under authority of the licence in the amount of at least \$200,000 with respect to death, injury or property damage arising out of any one incident.
4. Liability coverage in the amount \$100,000 with respect to death or injury arising out of any one incident; and \$25,000 with respect to property damage arising out of any one incident if the pest control business involves the airborne application of pesticides.
5. A clause requires the insurer to give 30 days notice before any cancellation of the insurance by either the insurer or the insured. The 30 day notice must be provided by registered mail to the Director, Environmental Assessment and Approvals Branch. The contract of insurance shall remain in full force and effect until after the 30 day notice period has expired.

The information contained in this document is of a general nature only and is not intended to constitute advice for any specific situation. Please note that the texts of many Ontario statutes and regulations are available on the Internet at www.e-laws.gov.on.ca.

For more information about pesticide licensing or to obtain an application package, please contact:

Ministry of the Environment
Environmental Assessment and Approvals Branch
2 St. Clair Ave W, Floor 12A
Toronto, ON M4V 1L5

Toll Free: 1-800-461-6290
Phone: 416-314-8001
Fax: 416-314-8452
Email: EAABGen@ene.gov.on.ca
Website: www.ene.gov.on.ca